

GEORGIA BOARD OF CHIROPRACTIC EXAMINERS
Board Meeting
March 24, 2011
Professional Licensing Boards
237 Coliseum Drive
Macon, GA 31217
9:00 a.m.

The following Board members were present:	Others Present:
Karen Mathiak D.C. Greg Baker, D.C. Emily Campbell Chris Nelson, D.C. David Wren, D.C.	Graham Barron, Board Attorney Anita Martin, Executive Director Carol White, Board Secretary

Dr. Mathiak established that a quorum was present and the meeting that was scheduled to begin at 9:00 a.m., was called to order at 9:05 a.m.

Open Session

Minutes from the January 13, 2011 Board meeting

Dr. Nelson made a motion to approve. Dr. Baker seconded the motion and it carried unanimously.

Ratify Licenses

Dr. Wren made a motion to approve the ratified license list. Dr. Baker seconded the motion and it carried unanimously.

Correspondence from the National Board of Chiropractic Examiners

The Board viewed the correspondence as informational.

Correspondence regarding letter sent from the Department of Community Health to a licensee.

The Board viewed the correspondence as informational.

Rule Waiver/Variance request from Terry Melton, D.C. re: Board Rule 100-5-.01

Dr. Wren made a motion to **deny** the rule waiver/variance request. The Board recommends that Dr. Melton place his license on inactive status. Dr. Baker seconded the motion and it carried unanimously.

Rule Waiver/Variance request from James R. Schendel, D.C. re: Board Rule 100-5-.02

Dr. Nelson made a motion to deny the rule waiver/variance request. Dr. Baker seconded the motion and it carried unanimously.

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Rule Waiver/Variance request from Mark Nebiker, D.C. re: Board Rule 100-3-.02(b)

Dr. Baker made a motion to approve the rule waiver/variance request. Dr. Nelson seconded the motion and it carried unanimously.

Correspondence from Melissa Lang

Dr. Baker made a motion to respond to correspondence that diagnosing a preschool aged child with ADHD , it is not within the Georgia scope of practice for chiropractors. Dr. Nelson seconded the motion and it carried unanimously

Correspondence from Cynthia F. Poppell, D.C. re: Myofascial Disruption Technique

The Board requested a letter be sent to Dr. Poppell stating that it cannot provide legal advice or interpretations of the Georgia Laws and Rules and further refer her to the website.

Correspondence from Shawn Pak, D.C. re: Scope of Practice

The Board requested a letter be sent to Dr. Pak stating that it cannot provide legal advice or interpretations of the Georgia Laws and Rules and further refer her to the website.

Approval of minutes from the February 22, 2011 Conference Call Board Meeting.

Dr. Nelson made a motion to approve. Ms. Campbell seconded the motion and it carried unanimously

Rule Waiver/Variance request from Michael Falite re: Board Rule 100-5-.02

Dr. Baker made a motion to deny the rule waiver/variance request. The Board finds that Dr. Falite's circumstances do not justify the waiver. Dr. Nelson seconded the motion and it carried unanimously.

Correspondence from Vincent DePeri

Dr. Wren made a motion to deny the request. Dr. Nelson seconded the motion and it carried unanimously.

Executive Director's Open Session – Ms. Anita Martin

- Ms. Martin reviewed the letter from Secretary of State Kemp regarding the budget.
- Ms. Martin provided information on the Federation of Chiropractic Licensing Boards association conference. Dr. Wren volunteered as delegate.

Miscellaneous

Ms. Martin will notify the American Institute of Personal Injury Physicians that their CE is not approved in Georgia.

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The Board requested that the following rules/policies be considered/reviewed at the next meeting:

- CE policy to require double deficient CE hours and all CE in next renewal biennium to be in person
- Consider New Rule
If graduated and not licensed within two calendar years of graduation, the Board may in its discretion require an applicant to complete the Special Purposes Examination for Chiropractors (SPEC).
- Consider New Rule or revision to 100-7-.04
Required Content for Patient Records:
 1. A chiropractic shall prepare and maintain a record reflecting the care and treatment of a patient.
 2. These records shall contain clinical information sufficient to justify the diagnosis, treatment warranted and shall, include but not be limited to the following:
 - (i) Name, address and telephone number of the patient
 - (ii) Name of attending chiropractor and staff rendering care;
 - (iii) Dates of examination and treatment;
 - (iv) Patient history;
 - (v) Presenting complaint;
 - (vi) Findings from physical examination;
 - (vii) Clinical lab reports, if applicable;
 - (xii) Details of procedure with complications and/or abnormalities noted, if applicable;
 - (xiii) Progress and disposition of the case;
 - (xiv) Differential diagnoses; and
 - (xv) X-rays if applicable.
 3. All records shall be kept in a readily retrievable form, shall be recorded contemporaneously, and shall be filed promptly following treatment.
 4. A SOAP notes format is considered by the Georgia Board of Chiropractic Examiners to be an acceptable format for patient records.
- Review 100-7-.04 Standards of Practice / possibly rename rule Financial Contracts.
- Review 100-3-.01 Filing Applications to allow on line undergraduate coursework?

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Executive Session

Dr. Wren made a motion, Dr. Baker seconded, and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §43-1-19(h)(2), 43-11-47(h) and §43-1-2(k) to deliberate on applications and enforcement matters and to receive information on applications, investigative reports and the Assistant Attorney General's report. Voting in favor of the motion were those present who included Drs. Nelson and Ms. Campbell. The Board concluded the **Executive Session** in order to vote on these matters and continue with the public session.

Appointments:

V.V. – Reinstatement Applicant – The Board met with V.V. reinstatement applicant and his attorney Fran Cullen. The Board recommended reinstatement with a public Consent Order.

D.G. J. – Applicant – The Board recommended approval.

J.A.H. - Renewal Applicant – The Board recommended renewal with a strong setter of concern.

J.G. – Applicant – The Board met with applicant J.G. and his attorney Jane Nunnally. The Board recommended approval under a private consent order.

K.P. – Renewal Applicant – The Board recommended renewal under a private consent order.

E.C. – The Board recommended renewal mimicking the Florida consent order.

Applications/Licensure:

A.M.D.F. – Renewal Applicant –The Board recommended renewal under Policy #7 accepting upon receipt.

A.R.S. – Renewal Applicant – The Board recommended renewal with a public consent order.

B.D. – Renewal Applicant –The Board recommended to renewal under Policy #7 accepting upon receipt.

J.A.J. – Renewal Applicant –The Board recommended to renewal under Policy #7 accepting upon receipt.

J.K.W. – Renewal Applicant – The Board recommended renewal and to notify the Board with final disposition of case.

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L.E.G. – Renewal Applicant – The Board recommended renewal.

L.K.W. – Renewal Applicant – The Board recommended renewal under Policy #7 accepting upon receipt.

P.F.M. – Renewal Applicant – The Board recommended renewal under Policy #7 accepting upon receipt.

P.J.W. – Renewal Applicant – The Board recommended renewal under Policy #7 accepting upon receipt.

P.P.L. – Renewal Applicant – The Board recommended renewal under Policy #7 accepting upon receipt.

R.F.W. – Renewal Applicant – The Board recommended renewal under Policy #7 accepting upon receipt.

S.L.M. – Renewal Applicant – The Board recommended renewal under Policy #7 accepting upon receipt.

M.J.F. – Reinstatement Application – The Board recommended denial. Applicant must meet requirements for reinstatement.

A.F.K. – Applicant – The Board recommended approval.

A.S.T.B. – Applicant – The Board recommended approval.

T.K. – Applicant – The Board recommended approval.

J.M.N. – Applicant – The Board recommended approval.

B.M.F. – Applicant – The Board recommended approval.

I.G.J. – Applicant – The Board recommended scheduling an appointment with the full Board.

J.G.K. – Reinstatement Applicant – The Board recommended reinstatement under Board Policy #5.

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M.A.K. – Endorsement Applicant – The Board recommended approval upon completion of the SPEC.

T.T. – Reinstatement Applicant – The Board recommended reinstatement under Board Policy #5.

D.S.P. – Applicant – The Board recommended scheduling an appointment with the full board.

M.A.G. – Endorsement Application – The Board recommended approval.

D.O.M. – Reinstatement Application – The Board recommended scheduling an appointment with the full Board.

S.T.S. – Application – The Board tabled until applicant notifies Board of final disposition of case.

J.P.W. – Renewal Applicant – The Board recommended denial as the renewal applicant does not meet the lawful condition of renewal.

Investigative Report – Drs. Mathiak and Wren

CHIR090065 – Recommended Close

CHIR110023 – Recommended Close with Letter of Concern

CHIR110023 - Schedule for next Investigative Interview

CHIR090020 – Recommended Close with no violation

CHIR100040 – Recommended Close with no violation

CHIR110020 – Recommended Close with no violation

CHIR110021 – Schedule for Investigative Interview

CHIR110029 – Recommended Close with no violation

Attorney General's Report – Mr. Graham Barron

Mr. Barron presented a counter offer on renewal applicant S.R. The Board recommends a private reprimand with no fine.

Executive Director's Report – Ms. Anita Martin

- Ms. Martin shared with the Board the E & B information on Dr. L.
- Ms. Martin presented to the Board for acceptance Consent Orders on Daniel Joseph Carluccio, D.C., Evan Willing, D.C. and Mary Margaret Strange, D.C.

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OPEN SESSION

HEARING 2:00

The Hearing was called to order at 2:00 p.m.

A Court Reporter was present at the Hearing

The Board went into executive Session at 3:20p.m.

The Board went back into Open Session at 3:57 p.m.

The Board voted to issue a Public Consent Order suspending the license on William Sayer, D.C.

Dr. Nelson motioned, Dr. Baker seconded and the Board voted to approve the recommendations made in Executive Session.

The Board meeting adjourned at 5:27p.m.

Minutes recorded by:

Carol White, Board Support Specialist

Minutes reviewed and edited by:

Anita O. Martin, Executive Director